IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

WP(C).No. 17540 of 2007(K)

PETITIONER:
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1. K.A.NOUSHAD, JAFNA MANZIL,
NATTASSERY KARA, KOTTAYAM.

2. K.A.SIYAD,
JAFNA MANZIL, NATTASSERY KARA,
KOTTAYAM.

BY ADV. SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE

RESPONDENTS:
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1. THE DISTRICT COLLECTOR, KOTTAYAM.

2. THE ADDITIONAL TAHSILDAR,
KOTTAYAM.

3. THE VILLAGE OFFICER,
KOTTAYAM.

BY GOVT.PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO. 17540 OF 2007

DATED THIS THE 29th DAY OF JUNE, 2007

JUDGMENT

The petitioners complain that although to Ext.P7 notice directing the petitioners to show cause why the petitioners should not be evicted from the property mentioned therein, the petitioners have filed Ext.P9 objections, the respondents are threatening to evict the petitioners without passing final orders.

2. I have heard the learned Government pleader also. After having issued Ext.P1 notice and received Ext.P9 objections, the 2nd respondent has to pass a speaking order after affording on opportunity of being heard to the petitioners which shall include an opportunity to adduce evidence also. That being so, I dispose of this writ petition with a direction to the 2nd respondent to pass appropriate orders after affording an opportunity of being heard to the petitioners and passing a speaking order dealing with the contentions and evidence of the petitioners and communicate that decision to the petitioners. Till communication of such decision, the

petitioners shall not be evicted from the property in question.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

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